

1 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

2 -----x  
3 UNITED STATES OF AMERICA,

4 Plaintiff,

Docket No.:

10 CR 147

5 versus

6 FRANCIS GUERRA,

U.S. Courthouse

225 Cadman Plaza East

Brooklyn, NY 11201

7 Defendant.  
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September 23, 2013

2:30 p.m.

9 Transcript of Criminal Cause for Sentencing

10 Before: HONORABLE SANDRA L. TOWNES,

District Court Judge

12 APPEARANCES

13 For the Government:

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Eastern District of New York

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24 Proceedings recorded by mechanical stenography. Transcript  
25 produced by computer-aided transcription.

MICHELE NARDONE, CSR, RPR, CRR - Official Court Reporter

## USA v. Guerra

1 either Russo or the defendant were arrested.

2 The testimony of the victim's brother about the  
3 victim's relationship with Mrs. Persico before his death. This  
4 and other evidence was sufficient to prove the murder  
5 conspiracy and the defendant's part in it by a preponderance of  
6 the evidence.

7 Also, the murder of Joseph Scopo, the testimony of  
8 Mr. Russo showed by a preponderance of the evidence that the  
9 defendant as well as he, Mr. Russo, helped plan it; that they  
10 got guns that the defendant came bringing in a gym bag; and  
11 that the defendant went to prison to discuss murder plans with  
12 Ted Persico; and that the group of them started to look for  
13 Mr. Scopo. He, the defendant, along with Russo and others, met  
14 with Theodore Persico, Jr. at his grandmother's funeral and  
15 received the okay or order to commit this murder.

16 Now, I find that it was proven, and the witness  
17 Mr. Russo testified that the defendant drove the crash car,  
18 which was parked on a street behind the vehicle driven by  
19 Russo, carrying the shooters, Jada Pappa, and another person.  
20 Pappa got out of the vehicle and killed Scopo. When other  
21 people returned fire Russo drove away with that third person  
22 and left Pappa on the street. Russo next saw Pappa minutes  
23 later in the defendant's vehicle.

24 Russo testified that the defendant was driving his  
25 vehicle, a blue Acura, registered in Mr. Guerra's sister's